DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION

| [] Submitted with Initial Filing | [X] Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required) | |
|---|--|--|
| Attorney Docket No.: 36347 | Application Number: 10/749,292 | |
| First Named Inventor: Gerard Van Oerle | Filing Date: December 30, 2003 | |
| | Group Art Unit: | |
| | Examiner Name: | |
| | | |
| As a below named inventor, I hereby decla | are that: | |
| My residence, post office address, and citizenship | are as stated below next to my name. | |
| I believe I am the original, first and sole invento original, first and joint inventor (if plural names ar is claimed and for which a patent is sought on the | e listed below) of the subject matter which | |
| "METHOD TO OPTIMIZE ENERGY CONSUMPTION IN A HEARING DEVICE AS WELL AS A HEARING DEVICE" | | |
| the specification of which (check only one item be | elow) | |
| [] is attached hereto, | | |
| OR | | |
| [x] was filed on (MM/DD/YYYY) <u>December</u> Number or PCT International Application 1 (MM/DD/YYYY) (if applicable). | | |

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I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to

above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

As a named inventor, I hereby appoint practitioners at Customer No. 000116 as my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Address all correspondence to Customer Number 000116.

Please direct all correspondence and inquiries to Michael W. Garvey at (216) 579-1700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| (1) Inventor Name (sole or joint): Gerard Van (| i Oerie |
|---|---------|
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|------------|--------|
| Signature: | Ild |

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|--------------------------------------|-----------------------------------|
| Inventor / Applicant: Gerard Van Oer | <u>e</u> |
| Title: Method TO Optimize | Energy Consimption. |
| | nt No Date: |
| Filed: December 30, 2003 Exam | niner: |
| Enclosed Are: | Priority Occumentslisted below |
| PATENT APPLICATION | Other Pastcord |
| New Application Transmittal | 1/3 le HeV |
| Fee Transmittal (in duplicate) | - 0 |
| Application Data Sheet | |
| Declaration & Power Of Attorneypgs. | |
| Pgs. of Claims | CHECK(S) IN THE AMOUNT(S) OF |
| Sheet(s) of Drawing(s) | s 13 c s |
| Formal Informal : | 2/3/43 |
| Continuation or Division | Client Code TS CO Doc. No. 363 47 |
| /0 | Int. Jin m Date 4/29/04 |
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| PTO-1449 Refs. | |
| AMENDMENT | |

in Response to Paper No.